IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT

JODHPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 1720/2007
(Muhammad Tahir Vs. State of Rajasthan & Ors.)

Date of Order : 06/04/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. R.K.Bhatia for the petitioner.

BY THE COURT:-

By the instant writ petition, the petitioner has challenged the notice dated 05.3.2007 Annex-22 whereby the petitioner has been informed that his services will automatically come to end on account of the abolition of the sanctioned aided post since the Managing Committee of the Institution has decided to surrender the sanctioned aided post and Govt. aid provided to it.

The alternative remedy of appeal under Section 19 of the Rajasthan Non-Government Educational Institution Act, 1989 (for short 'the Act of 1989' hereinafter) is available to the petitioner and without exhausting the alternative remedy of appeal, the petitioner has filed the instant writ petition which

cannot be entertained bye-passing the statutory remedy of appeal.

The writ petition is, therefore, dismissed on the ground of availability of alternative remedy. It is open for the petitioner to prefer an appeal under Section 19 of the Act of 1989 before the appellate tribunal. No order as to costs.

(H.R.PANWAR),J.

rp